

CITY OF CANAL FULTON

October 19, 2004

REGULAR COUNCIL MEETING

Mayor John Grogan called the October 19, 2004 City Council meeting to order at 7:35 PM in Council Chambers at City Hall.

PLEDGE OF ALLEGIANCE

CALLING OF THE ROLL

Present: Linda Zahirsky, Nellie Cihon, Mike Mouse, Diane Downing, and Bob Szanto

Mr. Szanto made a motion to excuse Victor Colaianni due to personal matters; seconded by Mrs. Zahirsky. **ROLL CALL: Yes - ALL**

OTHERS PRESENT

Marge Loretto, City Manager; Dale Kincaid, Law Director; Mike Rodino, Finance Director; Officer Harbaugh, Police; Joan Porter, The Repository; Nick Codrea, Attorney at Law; Robert Tscholl, Attorney at Law; Rochelle Rossi, Kathy Gill, Bret Stephan (residents)

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

Correction: Page 3 of 5 (where Council was discussing the liquor license): Mrs. Zahirsky's amendment to Mr. Mouse's motion was first voted on (so Council does not stipulate a closing time), before they actually voted on Mr. Mouse's motion. Then Council voted on Mr. Mouse's motion as amended. Mrs. Cihon made a motion to accept the October 5, 2004 City Council meeting minutes; seconded by Mrs. Downing. **ROLL CALL: Yes - ALL**

CITIZENS' COMMENTS ON AGENDA MATTERS – None

REPORTS OF ADMINISTRATIVE OFFICERS

Senior Citizens

October 23, 2004: Swiss Steak Dinner from 4:00 to 6:00 PM

October 28, 2004: Gambling Trip Planned to Mountaineer Casino

November 6, 2004: Christmas Bazaar (throughout the town) from 9:00 AM to 4:00 PM-Tables \$20

December 7, 2004: Christmas Trip to Hartwood Acres in Pennsylvania

Community Service Coordinator – No Report

Fire Chief – No Report (The Chief got tied up in Pennsylvania.)

Police Chief – No Report

Engineer - No Report

Finance Director – No Report

Mayor: Mayor Grogan asked Officer Harbaugh if they were getting any loud music reports from The Bier House (there have been complaints); Officer Harbaugh was unaware of any. The Mayor asked that the Police keep on eye on the situation, along with the Firing Range. The neighbors are hearing firing well after 11:00 PM/Midnight. He asked that the Police "nail down the close time" and make sure the owner stays close to that time. The Mayor has also been getting calls on the commercial garbage trucks coming around 2:00 AM in the same area. The Mayor asked if there was anything they could do about the time the garbage trucks are running. The Law Director stated, "The proposed ordinance allows that. You, of course, can change that."

The Mayor had a copy of the Mass Casualty Disaster Plan from Chapel Hill Community for distribution and recommendations. Chapel Hill wants to use their facilities for things - such as the last storm the City experienced - in case people are asked out of their homes. Mrs. Loretto asked for a copy of the final draft to accompany the City's.

City Manager - No Report

Parks – No Report

Law Director

Mr. Kincaid passed out a letter from CTI, indicating that the waterline that was put in for Hilltop Apartments has passed final inspection. Council can do this via motion because there are no streets involved in it; Council is just accepting the waterline itself. Nobody knew where Hilltop Apartments are located; Diane Downing will find out Thursday during the Planning meeting.

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THIRD READINGS - None

SECOND READINGS:

Ordinance 28-04: An Ordinance Repealing Chapter 749 of the Canal Fulton Ordinances.

Ordinance 29-04: An Ordinance Revising Current Law Governing Garbage and Refuse Collection in the City of Canal Fulton.

Mrs. Zahirsky asked, "If we want to amend that, we would be amending Section 2 (b) to include Commercial Time pickup?" Mr. Kincaid affirmed, and that it may be that Council can do this on a case-by-case basis, perhaps having them attain written authority. The City Manager can make exceptions to the 6:00 AM to 6:00 PM rule; but Council can made commercial (for example) from 5:00 AM or 5:30 AM.

Ordinance 30-04: An Ordinance Repealing Chapter 769 and Enacting Chapter 787 Entitled Sexually Oriented Businesses. (Mrs. Loretto requested this ordinance.)

Mayor Grogan stated that this piece of legislation is a bit more ahead of the game, as opposed to trying to play catch-up with what we had in the past, and it tightens some of the language.

FIRST READINGS – None

PURCHASE ORDERS & BILLS

No Purchase Orders

BILLS: \$82,180.80

Mrs. Zahirsky made a motion that Council has received the bills in the amount of \$82,180.80; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

NEW BUSINESS - None

OLD BUSINESS - None

OTHER BUSINESS – Mrs. Zahirsky stated, "We do have an Executive Session. We do; you don't (meaning the Mayor)."

CITIZENS COMMENTS (Open Discussion, Five-Minute Rule) - None

REPORT OF STANDING COMMITTEES – No Report

REPORT OF COUNCIL PRESIDENT

Mrs. Zahirsky stated, "No, I have nothing right now, but I do – I would like the Executive Session later on at the end of the meeting."

EXECUTIVE SESSION

Mrs. Zahirsky stated, "I'd like to call an Executive Session, and in this session, I would like the City Manager, our two outside counsels to be present (Mr. Bob Tscholl and Mr. Nick Codrea), and Council members, and it's going to be involving negotiations, and I don't expect any action to be taken;" seconded by Mr. Szanto. **ROLL CALL: Yes - ALL**

REGULAR SESSION RECONVENED

Mr. Szanto made a motion to reconvene the regular portion of the meeting. He stated, "During the Executive Session, we discussed matters of personnel contract, personnel performance and no legislative action will be taken as a result of those discussions this evening;" seconded by Mrs. Cihon. **ROLL CALL: Yes – ALL**

Mrs. Zahirsky reminded Council that the next meeting is Monday, November 1, 2004. Mrs. Downing made a motion to move the meeting to 7:00 PM on November 1, 2004; seconded by Mr. Szanto. **ROLL CALL: Yes – ALL**

Clerk of Council was assigned the task of putting an ad in the newspapers that the time has changed, and Mr. Colaianni and Mayor Grogan should be advised of same also.

ADJOURNMENT

Mrs. Cihon made a motion to adjourn; Mrs. Zahirsky adjourned the City Council meeting.

Patricia A. Schauwecker, Clerk of Council

Mayor John Grogan